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China Society Pamphlets

美國

Number II.

The American Constitution and the Chinese Republic

By

ROBERT McELROY, Ph. D., LL. D.

Seventh Thousand

中國

Issued by

The China Society of America (Inc.)

19 West 44th Street

New York City

1922

“If a man takes no thought about what is distant,
he will find sorrow near at hand.”

—The Analects, Book IV, Chapter XI.

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One hundred and thirty-five years ago, forty Americans, some native born, some alien born, but all alike Americans, affixed their names to the document which we reverence as the Constitution of the United States of America. The same day Washington transmitted the text to Congress, with the words, "It is obviously impracticable, in the Federal Government of these States, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. . . . It is at all times difficult to draw with precision the line between those rights which must be surrendered and those which may be reserved."

Fortunately these signers did not feel that the work was over because the draft was drawn and signed, but faced consciously and courageously the fight which they knew to be imminent in every state, before the surrender of any item of independent sovereignty.

In the end, the Constitution triumphed and America became a nation. But, reckoning from July 4, 1776, when the Declaration of Independence was signed, it took us thirteen years to establish a stable government, a fact which should preach patience to those who expect quick action from a vast nation like China, whose enormous population is just beginning to catch a vision of a government higher than autocracy.

Unmindful of the troubled history of our own early days, we too readily cry failure as we read Peking dispatches declaring: "Attempt to revive popular government in China is on the verge of collapse. . . . Military leaders are openly defying the Government; Cabinet ministers are refusing to assume the responsibilities of their posts; the Treasury is empty."

We forget that in 1783, seven years after our Declaration of Independence, eighty drunken soldiers drove our Congress out of Philadelphia, while the people of that city, then numbering 32,000 souls, looked on in silence or in open mockery.

We forget that a year later a French agent, after searching vainly for the American Congress, reported to his government: "There is in America no general government, neither Congress, nor President, nor head of any administrative department." We forget that we, too, knew what it was to see the finger of scorn, and to hear the disheartening cry, "You cannot succeed."

Certainly we owe no item of such success as we have attained to those prophets of evil who insisted that we surrender at discretion before firing a shot. Our nation is a monument to faith, not to pessimism, and our success with the vastly greater international problems which now confront us will likewise be a monument to those who have faith in the principles which made us a nation out of the blood of all races and kindreds and tongues.

But though we have done much toward securing a place in the sun for those ideals which we hold in trust for all humanity, much more remains to be done. Real and final security will be gained, not upon the basis of our success alone, but upon the basis of world-wide adoption of liberal government, the general establishment in international relations of the principles which have given peace among American states.

In view of this fact, we are properly thinking less today of the one hundred and thirty-five years that have passed than of the one hundred and thirty-five years that began when we joined the Allies as the avowed champion of the right of men everywhere "to choose their own ways of life and of obedience."

The problem of the year 1787 was how to join in effective union thirteen states with a common faith in representative government, to the end that the people thereof might have peace. The problem of the year 1922 is how to join in effective union fifty odd nations, many of whom know little and care less about representative government. In the face of that problem it most vitally concerns us whether the largest and most potential of them all, China, succeeds or fails in her attempt to establish a representative republic. It is important, not alone to

China, but to all nations, that she be not called a failure before she has failed. It is our future, as well as hers, which hangs in the balance as the vast unwieldy bulk of China struggles toward the light.

Gouverneur Morris was right when he informed his colleagues in the Convention of 1787 that he sat, not alone as a representative of Americans, but of the whole human race; for, he said, "the whole human race will be affected by the proceedings of this Convention."

History has seen, already, the fulfilment of that daring prophecy. No modern nation has remained unaffected by the ideals of our Constitution. Even the Constitution of the new Republic of Germany, according to Hugo Preuss, its reputed author, "in many fundamental institutions, is akin to them."

But China, more definitely, more openly and more unreservedly than any other nation, has declared her intention of taking our Constitution as a model for her own. According to a Peking Associated Press dispatch of August 2, the Chinese Cabinet has definitely announced that "Parliament and President Li Yuan-hung are in complete agreement over the adoption of a permanent Constitution for China similar to that of the United States." And in a recent letter to President Edmunds of the Canton Christian College, President Li himself says: "To fit men for citizenship under the form of government of which your country is the inspiration, every aid should be summoned to our assistance."

This is a call which goes deeper than the oft-repeated cry for bread. China is facing today, upon a scale unprecedented, unexampled, the task of enthroning the very ideals of which our Constitution is the inspiration, and in the interest of the things which count for gain to every nation, she is entitled to our best aid. With liberal government safely established in China, its future in Asia, the birthplace of the human race, will be secure. But failure in China must mean either reaction, or the pandemonium of some new experimentation, some undreamed-of type of Bolshevism, menacing the welfare not of one nation, but of all.

Only slowly has the idea of the importance to us of China's successes or failures dawned upon the minds of Americans. In 1853 William H. Seward predicted "that henceforth, every year, European commerce, European politics, European thought, European activities . . . and European connections . . . will . . . sink in importance, while the Pacific Ocean, its shores, its islands, and the vast regions beyond will become the chief theatre of events in the world's great hereafter." But the provincially minded of his generation scouted the idea, and Seward's farsighted purchase, Alaska, the finger of America pointing to the awakening Orient, was contemporaneously styled "Seward's Polar Bear Garden."

A generation later John Hay solemnly declared: "Whoever understands China socially, politically, economically and religiously holds the key to the world's politics for the next five centuries." And since his day scores of men, wise in the ways of the East and conscious of the dawn of a modern Orient, have urged the same thesis, eager that America should face her problems before they overwhelm her, should seize her opportunities for service and for legitimate gain before someone steps into the troubled waters before her.

Europe today understands the universal significance of the dawning Orient far better than do we. In a summary of the proceedings of the conference of Prime Ministers and Representatives of the United Kingdom, the Dominions and India, held in 1921, General Smuts wrote: "The scene has shifted away from Europe to the Far East and to the Pacific. The problems of the Pacific are to my mind the world problems of the next fifty years or more. . . . There Europe, Asia and America are meeting, and there, I believe, the next great chapter of human history will be enacted. I ask myself, what will be the character of that history? Will it be along the old lines? Will it be the old spirit of national and imperial domination which has been the undoing of Europe? Or shall we have learned our lesson?"

And what is that lesson? The lesson of faith in the power of the ideals we profess. Faith in the inspired teaching that "God hath made of one blood all the nations that dwell upon the earth." Faith in the imminence of "the parliament of man, the federation of the world." Faith that, with patience, the representatives of the nations can untie any knot which could be cut through by the sword. These are the larger implications of our Constitution; and they must operate among nations, if peace is to endure.

During the debate on the Temple of Heaven draft of the Constitution of China, on September 14, 1916, a senator rose and asked: "Do the members of Parliament represent the citizens?" The reply was, of course, "Yes." "Then," retorted the senator, "how can the members of Parliament, who all represent the people and voice their opinion, be at fault?"

The cynic smiles at such simple faith; but is not such faith more wholesome, fairer to our nation and to all the nations which look to us for leadership than the cynic's smile and his cutting thrust which only destroys?

This is the hour of faith, and those who trouble to look will see abundant cause for encouragement in the manner in which the spirit of our Constitution is becoming also the spirit of the East.

China today is passing through the shadow; but her inevitable failures, mistakes and sins against the light, should only serve to recall the days of our own dwelling in the wilderness. China is no more asleep today than were the fathers of our Constitution in the distressing days of the old Congress. She is wide awake. Light, dim perhaps, but true light, has entered or is entering the souls of her teeming millions, and public sentiment in China is surprisingly powerful, despite apparent disorganization. It was in the popular will, more than in any effort of army or politicians, that the Manchus found the resistless force which compelled their abdication.

Furthermore, the Chinese made their choice of representative government only after careful investigation. Two separate commissions were sent to

study the ways of other nations, and only after these had reported in favor of representative government was it decided upon. Even then they proceeded with extreme caution, limiting the suffrage by intelligence, property and moral qualifications, thus enfranchising at first only about 1,000,000 out of an estimated 400,000,000 population.

Moreover, the ultimate success of the representative idea in China will be simplified by the fact that her people have for generations enjoyed a certain very definite kind of local self-government. For centuries the national authority ended with the Hsien, or county official, whose administrative district was about as large as the average American county. To him, and not to the distant Emperor, the people looked for the maintenance of order, the collection of taxes, and other governmental functions most closely touching their individual lives. In case of failure to perform civic duties, it was the Hsien and not the distant Peking dignitaries who intervened. But, aside from this recognition of the sovereign control of the nation, local affairs have been controlled by the people.

These things, together with the centuries-old Chinese system of guild government, furnish a definite preparation for the representative idea, making the problems of China, difficult as they are, far easier than they appear to the casual observer, appalled by statistics of population and percentages of illiteracy.

Let us also remember that illiteracy does not always mean incompetency. The court of Charlemagne, including the Emperor himself, was illiterate, not to speak of the masses of the people; but Charlemagne remains a tower in the landscape of the world, and among his illiterate advisers were many whom the world still honors as men of ability.

It is even so in China. The percentage of illiteracy is not a fair test of the abilities of the people of China, seriously as it interferes with the rapid development of really representative government. The Chinese are not a decadent race; they are only a backward nation. Few of the earmarks of a worn-

out civilization are found among them. They have the capacity for progress, the will to progress, and they are today handling, however unskilfully, the political ideals of progress.

In the end, which will be hastened or retarded, but not determined by our course of conduct, China will doubtless develop a republicanism of her own—she will not merely borrow a constitution from America. And her friends and well-wishers must be content to see the process move slowly, content provided only that it is in the right direction. Progress does not demand a number of mere replicas of the American Republic. Progress lies not along the road of monotonous uniformity but of infinite variety. The future will probably see one kind of republic in Anglo-Saxon lands, others in the lands of the Latins, Celts, Teutons and Turks, and still another kind in China. “But all,” as Victor Murdock has eloquently predicted, “will have the germ of Washington’s and Hamilton’s and Jefferson’s and Lincoln’s idea—which is . . . that the evolution of a republic is to democracy, the evolution of democracy to the rule of majorities, through spiritual and mental enlightenment, to the rule of the voice of God.”

By dint of reiteration we have grown familiar with the fact that the many liberal movements in the West have been but the orderly and natural working out of the principles which the Fathers of the American Revolution—Washington, Franklin, Adams and Jefferson, Pitt, Fox, Burke and Barre—defended in “the days that tried men’s souls.” The time has now come, by similar reiteration, to make men see that today that same process is re-enacting itself in the East. As surely as the French soldier who fought with Washington at Yorktown carried back the ideals that wrecked the ancient Bourbon throne, so surely have returned students, missionaries and the better class of merchants, since the days of Townsend Harris and Burlingame, been carrying those same ideals to China and the Far East.

As today each fourth of July witnesses celebrations of the great Declaration, not alone in America, but in England as well, even in Westminster Abbey it-

self, so in the near future there shall come a day when East and West shall join in celebrating the birth of the ideas which are the essence of the American Constitution, not because they are American, but because they are the ideals of representative government and the sovereignty of the people. Minority rule has had its day, and that day has passed. This is the day of majority rule, a conception enduring because it is right, invincible because it is just.

"Politically, what do you consider the most basic prerequisite of lasting peace?" is the question which was recently put to one of America's greatest statesmen. His answer sounded the key-note of the new era: "That the nations of the world become internationally minded."

By this he did not mean to advocate what is commonly termed "internationalism," which desires the desertion of the individual nation and the transfer of all individual affections to what we call the family of nations. He meant rather that permanent peace depends upon the development among men of all nations of the ability to think in terms larger than special interests, whether those special interests be of the family, the village, the state or the nation.

The ancient practice of thinking in sections, of dreaming selfish, provincial dreams which present all other nations as aliens and potential enemies has led us through the road of many sorrows. Millions of tiny white crosses mark the pathway of our tears. It is time to abandon that path wholly and unconditionally. The spirit of our Constitution has marched before us to China, as to many other lands, making us in a new sense brothers.

As Americans we can rightly glory in most of the victories which from time to time have crowned our arms, for they were won in the defense of just causes; but let us not fail to glory more in victories which from time to time have come from deeds of kindness, acts of generous forbearance and broad international sympathies. For these more truly represent the ideals which our Fathers strove to embody when they wrote our Constitution.

So long as our separate states continued to allow themselves to be dominated by local thinking, even the new Constitution could not give us peace. And so long as the nations of the world continue to allow themselves to be dominated by local thinking, no group of statesmen, however wise, can devise a league of nations that will give lasting peace to the world.

Nor can international security come either through armament or through disarmament. It is a matter of public psychology. Once let the peoples of the earth believe, as the saner people of our own states have come to believe, that their rights and interests will be safer under the protection of laws than under the protection of guns, and there will be abundant material for plough shares from the river to the ends of the earth.

While contemplating with pardonable pride the American Constitution, we miss its crowning glory if we think of it too narrowly. Its glory lies not in the fact that it embodies the fundamental law of one nation, but in the fact that it was the first written constitution to embody those great ideals of popular liberty which belong to no one nation or race, but are the common heritage of free men everywhere.

God grant to all nations vision, for "where there is no vision the people perish."

An Illuminating Parallel

Egypt	China	Babylonia	Hebrews	Greeks & Romans
B.C.	B.C.	B.C.	B.C.	B.C.
3400	2852	2400		
King Menes, the first his- torical reign	Opening of the histor- ical period	Babylonia first appears as a city		
2300	2205-1766			
Amenemhat III diked off Lake Moeris	Hia Dynasty <i>First</i> historic line of Chinese Emperors			
2200-1700		2000-1700		
Hyksos Kings		Babylonia con- quered by Kassites		
	1766-1122		?	
	Shang Dynasty <i>Second</i> historic line of Chinese Emperors		1270 The Exodus	1100 Dorian Migrations
	1122-255		?	?
	Chou Dynasty <i>Third</i> historic line of Chinese Emperors		1055 Saul crowned king	930 Homeric Poems
			?	880
			993 Temple of Solomon built	Laws of Lycurgus
				776 First Olympiad Authentic beginning of Greek chronology
				753 Rome founded

Some Basic Facts Concerning Chinese History

The Hia Dynasty (B. C. 2205-1766) begins the period of authentic imperial history in China.

The Shang Dynasty (B. C. 1766-1122) in part contemporary with the Eighteenth Egyptian Dynasty, the period of the highest power of that ancient Empire of the Nile.

The Chou Dynasty (B. C. 1122 to 255) produced at least three world figures:

- (1) **Laotsz**, the founder of Taoism.
- (2) **Confucius**, the sage.
- (3) **Mencius**, the great apostle of Confucius, a contemporary of Plato.

The Ch'in Dynasty (B. C. 255-206) is famous for the beginning of the Great Wall of China.

The Han Dynasty, east and west (B. C. 206 to A. D. 221) was marked by:

- (1) The invention of paper.
- (2) The introduction of Buddhism.
- (3) Institution of literary degrees which formed the test for civil service until 1905.

The Tang Dynasty (A. D. 620 to 907) saw:

- (1) The arrival in China of the first representative of Zoroaster.

- (2) The establishment in Sianfu of Moham-medans and Magians.
- (3) Block-printing invented by Feng Toa, who died in A. D. 954.

The Sung Dynasty (A. D. 960-1127) is known as "the Periclean Age of China."

It put into practice, in part of China, a system of socialism which Europe would consider advanced, even today. The state took entire control of commerce, industry and agriculture, in order to make certain that the laboring classes were protected. It set up a tribunal to regulate the daily wage and the daily price of merchandise. Taxation was planned according to the ability of men to pay. Old age pensions were provided, and there was a system of state support for the unemployed. Seeds were distributed to those willing to cultivate waste lands, and each family with more than two males was obliged to give one to serve the state as a soldier.

The system was abandoned as unsuccessful after a trial of ten years.

The Southern Sung Dynasty (A. D. 1127-1280) is famous as the line of emperors who selected Peking as the national capital.

The Mongol Dynasty (A. D. 1280-1368) was founded by Kublai Khan, grandson of the mighty Ghenghis Khan. It was of his court that Marco Polo wrote in his epoch-making book "Concerning the Marvels of the East," the book that opened the age of geographical discovery, the book over which Christopher Columbus poured as though it were inspired. Columbus's search was for a waterway to the Far East, and he found America while searching for China.

Perhaps if we renew the search for China we shall discover a new and greater America.

The Mings (A. D. 1368-1644) overthrew the mighty Mongols, who had held China open to Euro-

pean visitors, and under their reactionary rule China adopted the fatal policy of exclusiveness.

The last imperial house to rule in China was the **Manchu** (A. D. 1644-1911).

In 1898 Germany, as a compensation for the murder of two missionaries, forced China to lease to her the harbor and port of Kiaochow and certain exclusive privileges in Shantung Province. Russia followed by seizing Port Arthur and Dairen, Great Britain by taking Weihaiwei in Shantung, and France by taking "Kwangchow." "Spheres of influence were also designated by these powers and by Japan.

In 1900 came the Boxer uprising against foreigners, which resulted in the imposition upon China of an indemnity of \$333,000,000 gold. By the prompt action of America an attempt to actually partition China was prevented. On July 3, 1900, John Hay, Secretary of State, sent a note to the powers suggesting that it be declared the common purpose "to afford all possible protection everywhere to foreign life and property; to guard and protect all legitimate foreign interests; to aid in preventing the spread of such disorders; and to seek a solution which may bring about permanent safety and peace to China, preserve Chinese territorial and administrative entity, protect all rights guaranteed by treaty and international law to friendly powers, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire."

On October 10, 1911, young China determined to redeem China in the eyes of the world by overthrowing a line of rulers of alien blood which had held the throne for over two and a half centuries. On February 12, 1912, this resolve was fulfilled by the proclamation of the Republic of China.

Since then the great question has been "Can it succeed?" It is still a question, and one which interests not alone a new China, but a new world.

“He who says that others are not equal to himself.
comes to ruin.”

—Shu King, the
“Book of History”,
Edited by Confucius.
Part IV, Book II, page 4.

“What I do not wish men to do to me, I also wish not to do to **them**.”

—Analects, Book VIII, Chapter II.

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